

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06CV372-W**

RANDY LYNN ATKINS,)	
Petitioner,)	
)	
v.)	ORDER
)	
MARVIN POLK, Warden,)	
Central Prison)	
Raleigh, North Carolina)	
Respondent.)	
_____)	


This matter is before the Court pursuant to Rule 5 of the Rules Governing [28 U.S.C.] § 2254 Cases in the United States District Court. Petitioner Randy Lynn Atkins (hereinafter “Atkins”) filed a Petition for Writ of Habeas Corpus on November 16, 2006. On December 19, 2006, the Court issued an Order finding that Atkins had failed to comply with Rule 2 of the Rules Governing § 2254 Cases. The Court gave Atkins an opportunity to file an amended Petition for Writ of Habeas Corpus. Atkins filed an Amended Petition on January 18, 2007. [Doc. 10]

IT IS HEREBY ORDERED THAT:

1. Respondent file an Answer to the Amended Petition no later than 30 days from the date of entry of this Order;
2. In addition to the documents mandated by Rule 5 of the Rules Governing § 2254 Cases, Respondent shall file with the Answer copies of all transcripts (pretrial, trial, sentencing, collateral, and post-conviction); and

3. Petitioner may file a Reply to the Answer no later than 20 days from the date on which the Answer is filed.

Signed: January 31, 2007



Frank D. Whitney
United States District Judge

